

1 JEANE HAMILTON
BARBARA J. NELSON
2 ANDREW S. HUANG
Antitrust Division
3 U.S. Department of Justice
450 Golden Gate Avenue
4 Box 36046, Room 10-0101
San Francisco, CA 94102
5 Telephone: (415) 436-6660

6 Attorneys for the United States

7
8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA)	No.: CR99-0385
)	
12)	INFORMATION
13 v.)	
)	VIOLATION:
14 FREYSSINET INTERNATIONAL)	Title 15, United States Code,
ET CIE,)	Section 1 (Price Fixing)
)	
15)	San Francisco Venue
)	
16 Defendant.)	Filed: September 15, 1999
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18 The United States of America, acting through its attorneys, charges:

19 I.

20 DESCRIPTION OF THE OFFENSE

21 1. FREYSSINET INTERNATIONAL ET CIE ("FREYSSINET") is made
22 a defendant on the charge stated below.

23 2. Beginning in or about September 1996 and continuing until in or about
24 September 1997, the defendant and co-conspirators participated in a combination
25 and conspiracy in unreasonable restraint of interstate trade and commerce in

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violation of Section 1 of the Sherman Act (15 U.S.C. § 1).

3. The charged combination and conspiracy consisted of a continuing agreement, understanding, and concert of action among the conspirators, the substantial terms of which were to rig bids and allocate contracts for the sale of materials, installation and supplies used to construct cable-stayed bridges in the United States.

4. For the purpose of forming and carrying out the charged combination and conspiracy, the defendant and co-conspirators did those things that they combined and conspired to do, including, among other things:

(a) participating in conversations to discuss upcoming cable-stayed bridge projects in the United States;

(b) agreeing, during one such conversation, to allocate several upcoming cable-stayed bridge projects in the United States among the defendant and co-conspirators; and

(c) submitting artificially high, non-competitive bids in accordance with the agreements reached.

II.

DEFENDANTS AND CO-CONSPIRATORS

5. FREYSSINET is a corporation organized and existing under the laws of France. Its principal place of business is in Velizy, France. During the period covered by this Information, FREYSSINET was engaged in the business of producing and selling construction materials, installation and services in the cable-stayed bridge industry.

6. Various corporations and individuals, not made defendants in this Information, participated as co-conspirators in the offense charged herein and

1 performed acts and made statements in furtherance of it.

2 7. Whenever in this Information reference is made to any act, deed, or
3 transaction of any corporation, the allegation means that the corporation engaged in
4 the act, deed, or transaction by or through its officers, directors, employees, agents, or
5 other representatives while they were actively engaged in the management,
6 direction, control, or transaction of its business or affairs.

7 III.

8 TRADE AND COMMERCE

9 8. Construction of cable-stayed bridges is a form of specialty construction.
10 The deck of a cable-stayed bridge is suspended from cables attached to load-bearing
11 towers.

12 9. During the period covered by this Information, the defendants and
13 co-conspirators manufactured, sold, distributed and installed materials and supplies
14 used to construct cable-stayed bridges in a continuous and uninterrupted flow of
15 interstate commerce from the states of manufacture to customers located in other
16 states. In addition, some of the cable-stayed bridge projects allocated by defendants
17 and co-conspirators pursuant to the charged scheme were paid for in part by the
18 United States government.

19 10. The business activities of the defendant and co-conspirators that are
20 the subject of this Information were within the flow of, and substantially affected,
21 interstate trade and commerce.

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1 IV.

2 JURISDICTION AND VENUE

3 11. The combination and conspiracy charged in this Information was
4 carried out in the United States, in part, within the five years preceding the filing of
5 this Information.

6
7 ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.
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9

10 _____"/s/"_____
11 Joel I. Klein
12 Assistant Attorney General

_____" /s/" _____
Christopher S Crook
Chief, San Francisco Office

13
14 _____"/s/"_____
15 Gary R. Spratling
16 Deputy Assistant Attorney General

_____" /s/" _____
Jeane Hamilton
Barbara J. Nelson
Andrew S. Huang

Attorneys

17
18 _____"/s/"_____
19 James M. Griffin
20 Director of Criminal Enforcement

U.S. Department of Justice
Antitrust Division
450 Golden Gate Avenue
Box 36046, Room 10-0101
San Francisco, CA 94102
(415) 436-6660

21 _____"/s/"_____
22 Robert S. Mueller III
23 United States Attorney
24 Northern District of California